

# ACCORD

*Between the*

## **FEDERALLY RECOGNIZED INDIAN TRIBES WITH TREATY RESERVED RIGHTS IN WASHINGTON STATE**

*And*

## **THE STATE OF WASHINGTON**

### **I. PREAMBLE AND GUIDING PRINCIPLES**

This ACCORD is executed between federally recognized Indian tribes located outside of the state with treaty reserved rights within Washington State, signatory to this ACCORD, and the State of Washington, through its governor, in order to better achieve mutual goals through an improved relationship between their sovereign governments.

Each party to this ACCORD respects the sovereignty of the other and that this sovereignty provides paramount authority for that party to exist and to govern.

### **II. PARTIES**

The parties to this accord are the State and those federally recognized tribes located outside of the state with treaty reserved rights within the state of Washington that have signed this Accord.

The parties recognize that the state of Washington is governed in part by independent state officials. Therefore, although, this ACCORD has been initiated by the signatory tribes and the governor, it welcomes the participation of, inclusion in and execution by chief representatives of all elements of state government so that the government-to-government relationship described herein is completely and broadly implemented between the state and the tribes.

### III. PURPOSES AND OBJECTIVES

This ACCORD is intended to be comparable to and harmonious with the 1989 Centennial Accord between the tribes within Washington State and the state. To this end, this ACCORD is intended to build confidence among the parties in the government-to-government relationship by outlining and institutionalizing the process for implementing the policy

### IV. IMPLEMENTATION PROCESS AND RESPONSIBILITIES

While this ACCORD addresses the relationship between the parties, its ultimate purpose is to improve the services delivered to people by the parties. To the extent practical, the parties agree to utilize all the established protocols under the Centennial Accord and the Millennium Agreement as well as any subsequent agreement consistent with this ACCORD as the procedures and processes for this ACCORD unless otherwise made inconsistent by this ACCORD.

The parties recognize that a key principle of their relationship is a requirement that individuals working to resolve issues of mutual concern are accountable to act in a manner consistent with this ACCORD.

The state of Washington is organized into a variety of large but separate departments under its Governor, other independently elected officials and a variety of boards and commissions. Each tribe, on the other hand, is a unique government organization with different management and decision-making structures.

The chief of staff of the Governor of the state of Washington is accountable to the Governor for implementation of this ACCORD. State agency directors are accountable to the governor through the chief of staff for the related activities of their agencies. Each director of affected state agencies will initiate a procedure within his/her agency by which the government-to-government policy will be implemented. Among other things, these procedures will require persons responsible for dealing with issues of mutual concern to respect the government-to-government relationship within which the issue must be addressed. Each agency will establish a documented plan of accountability and may establish a more detailed implementation procedure in subsequent agreements between tribes and the particular agency.

The chief of staff also will use his/her organizational discretion to help implement the government-to-government relationship. The Office of Indian Affairs will assist the chief of staff in implementing the government-to-government relationship by providing state agency directors information with which to educate employees and constituent groups as defined in the accountability plan about the requirement of the government-to-government relationship. The Office of Indian Affairs shall also perform other duties as defined by the chief of staff.

Each tribe also recognizes that a system of accountability within its organization is critical to successful implementation of the relationship. Therefore, tribal officials will direct their staff to communicate within the spirit of this ACCORD with the particular agency, which, under the organization of state government, has the authority and responsibility to deal with the particular issue of concern to the tribe.

In order to accomplish these objectives, each tribe must ensure that its current tribal organization, decision-making process and relevant tribal personnel is known to each state agency with which the tribe is addressing an issue of mutual concern. Further, each tribe may establish a more detailed organizational structure, decision-making process, system of accountability, and other procedures for implementing the government-to-government relationship in subsequent agreements with various state agencies. Finally, each tribe will establish a documented system of accountability.

As a component of the system of accountability within state and tribal governments, the parties will periodically review and evaluate the implementation of the government-to-government relationship and report on this review through a report summarizing this evaluation and will include joint strategies and specific agreements to outline tasks, overcome obstacles, and achieve specific goals. The State and the Tribal parties to this Accord will meet every other year to conduct this review as well as discussing other issues of mutual concern.

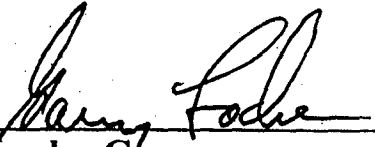
## **V. SOVEREIGNTY and DISCLAIMERS**

Each of the parties respects the sovereignty of each other party. In executing this ACCORD, no party waives any rights, including treaty rights, immunities, including sovereign immunities, or jurisdiction. Neither does this ACCORD diminish any rights or protections afforded other Indian persons or entities under state or federal law. Through this ACCORD, parties strengthen their collective ability to successfully resolve issues of mutual concern.

While the relationship described by this ACCORD provides increased ability to solve problems, it likely will not result in a resolution of all issues. Therefore, inherent in their relationship is the right of each of the parties to elevate an issue of importance to any decision-making authority of another party, including, where appropriate, that party's executive office.

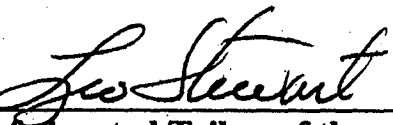
Signatory parties have executed this ACCORD on the date, below, and agreed to be duly bound by its commitments:

STATE OF WASHINGTON

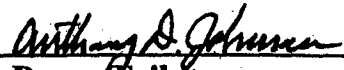
  
\_\_\_\_\_  
Gary Locke, Governor

Date: 12-9-2004

SIGNATORY TRIBES

By:   
\_\_\_\_\_  
Confederated Tribes of the  
Umatilla Indian Reservation

Date: 12-9-2004

By:   
\_\_\_\_\_  
Nez Perce Tribe

Date: 12-9-2004